



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

**MAR 29 2017**

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL 7009 1680 0000 7642 2895**  
**RETURN RECEIPT REQUESTED**

Mr. Tracy Crowther  
Plant Director  
Essroc Cement Corporation  
3084 West C.R. 225 South  
Logansport, Indiana 46947

Re: Request for Information  
Essroc Cement Corporation  
EPA I.D.: IND 005 081 542

Dear Mr. Crowther:

The U.S. Environmental Protection Agency requests information under Section 3007 of RCRA, as amended, 42 U.S.C. § 6927. Section 3007 of RCRA authorizes the Administrator of EPA to require Essroc Cement Corporation ("Essroc," "you," or "facility") to submit certain information related to compliance with RCRA, 42 U.S.C. § 6901, *et seq.*, and the regulations set forth at 40 CFR §§ 260 through 268, 273, and 279. EPA is requiring this information to evaluate Essroc's compliance with RCRA at its facility located at 3084 West C.R. 225 South, Logansport, Indiana.

The enclosure specifies the information Essroc must submit. You must submit this information within **THIRTY (30) CALENDAR DAYS** of receiving this request to the EPA, at the following address:

**Graciela Scambiatterra  
Compliance Section 1  
RCRA Branch  
Land and Chemicals Division  
77 West Jackson Boulevard, LR-17J  
Chicago, Illinois 60604**

The information must be provided notwithstanding its possible characterization as confidential information or trade secrets. Essroc may, under 40 CFR Part 2, Subpart B, assert a business confidentiality claim covering all or part of the information in the manner described in 40 CFR § 2.203(b). We will disclose the information covered by a business confidentiality claim only to the extent and by means of the procedures set forth at 40 CFR Part 2, Subpart B. Essroc must

make any request for confidentiality when you submit the information, because any information not so identified may be made available to the public without further notice.

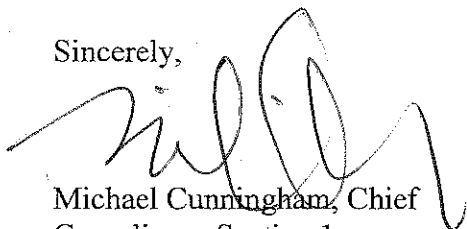
Essroc must submit all requested information under an authorized signature certifying that the information is true and complete to the best of the signatory's knowledge and belief. Should the signatory find, at any time after submitting the requested information, that any portion of the submitted information is false, misleading, or incomplete, the signatory must notify us. Knowingly providing false information in response to this request may be actionable under 18 U.S.C. §§ 1001 and 1341. We may use the requested information in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

Failure to comply fully with this request for information may subject Essroc to an enforcement action under Section 3008 of RCRA, 42 U.S.C. § 6928.

You should direct questions about this request for information to Graciela Scambiaterra, at (312) 353-5103, of my staff. Communications from your lawyer or questions regarding EPA's legal authority to request information should be directed to Jillian Rountree, Office of Regional Counsel, at (312) 353-3849 or [rountree.jillian@epa.gov](mailto:rountree.jillian@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Cunningham', is written over a horizontal line.

Michael Cunningham, Chief  
Compliance Section 1  
RCRA Branch

Enclosures

cc: Nancy Johnston, Indiana Department of Environmental Management  
([njohnsto@idem.in.gov](mailto:njohnsto@idem.in.gov))

## REQUEST FOR INFORMATION

**Instructions:** Essroc must respond separately to each of the questions or requests in this attachment. Precede each answer with the number of the Request to which it corresponds. For each document produced in response to this Request for Information, mark on the document or, in some other reasonable manner, provide the number of the question to which it responds.

If information not known or not available to Essroc as of the date of submission of its response should later become known or available to Essroc, then Essroc must supplement its response to the EPA. Moreover, should Essroc find at any time after submitting its response that any portion of the submitted information is false, misleading, or misrepresents the truth, Essroc must notify the EPA as soon as possible.

All terms used in this request for information shall have their ordinary meaning unless such terms are defined in the RCRA, 42 U.S.C. § 6901 *et seq.* and its implementing regulations, except for the following: The term “lab wastewater” shall refer to

- (1) “Non-hazardous aqueous waste from the washing of RCRA-clean labware (RCRAclean refers to labware that has been emptied of its contents and triple-rinsed with distilled water)”;
- (2) “Neutralized acidic aqueous wastes generated from the analysis of materials, [including] . . . aqueous wastes consist[ing] of corrosive solutions from chlorine analysis, reduced iron testing, and the digestion of samples for metal analysis”; and
- (3) “Aqueous waste from general cleaning of uncontaminated surfaces ([e.g.], hand washing, mopping of floors).”

### Requests:

1. Identify all persons consulted in preparing the answers to this Request for Information and any persons who may provide further information regarding the questions below. For each person identified, provide his or her full name and title, the name of the individual’s employer, and his or her business telephone number.
2. Provide any documents relied upon in preparing the answers to this Request for Information.
3. Provide a detailed explanation or explanations of the process or processes Essroc or Essroc’s contactor(s) has used for the washing and/or “triple-rinsing” of RCRA-clean labware, as described in Essroc’s August 15, 2016 Response to Request 5, subpart (b)(iii). Specifically, where does the water from the washing/rinsing go after rinsing? Where does the rinsing occur? Explain all changes to this practice (including where rinsing water goes and where rinsing is conducted) in the past five years, and when those changes were instituted. Was this practice or the changes to it documented in lab SOPs or similar documentations? If so, provide the documentation.

4. In your August 15, 2016 response to Question 5(b)(iii), you explain what wastes have and have not been placed in lab sinks. Nevertheless, please explain *which* lab sinks have been used for the disposal of neutralized acidic aqueous wastes. Furthermore, please clarify whether all lab sinks are and have been connected to the holding tank.
5. You state that the acidic waste was placed in a container and neutralized before it has been poured down the lab sink. However, EPA inspectors noted corrosion on sinks in the mercury analysis area, the bomb area, and the ICP area during their December 2013 inspection. How do you account for the corrosion present in the sinks?
6. Provide a detailed explanation or explanations of the findings relevant to lab waste practices, described in the Audit Report (June 16-18, 2015 performed by DoxycyLLC) provided by Essroc in the August 15, 2016 Response. Specifically, address the audit finding that glassware is potentially not being thoroughly washed and rinsed, resulting in cross contamination or carryover issues (see page 6 of the Audit Report). Was this finding substantiated or documented? If so, provide the documentation. Did any cross contamination or carryover issue result from this finding? If so, explain and provide your explanation of “cross contamination and carryover issues.” Have you changed practices in response to this finding? If so, please describe.
7. Provide a detailed explanation or explanations of the process or processes described in Appendix I, number 7 of the Hazard Communication Program, provided by Essroc in their August 15, 2016 Response. Specifically, explain why this provision was added between the 2014 and 2013 versions of this document. Further, explain whether the practices described in Appendix I, number 7 were practiced before December 2013.
8. Explain the events surrounding the tank freezing on December 30, 2013. How and by whom was the freeze detected? Why did Essroc pump the holding tank on April 25, 2014? If related to the freezing, why was the pumping done on that date? What was done with the pumped contents of the tank? How was lab wastewater disposed between December 30, 2013 and April 25, 2014, after it was placed into buckets? In other words, what was the procedure for collecting, storing, and moving lab wastewater from use to disposal during that timeframe?
9. Explain current use of the holding tank and lab sinks. Now that AFR does not place any waste into the sinks or holding tank, how is the lab wastewater (e.g., waste from handwashing, mopping, general cleaning, and aqueous and neutralized solutions) disposed? In other words, what was the procedure for collecting, storing, and moving lab wastewater from use to disposal (e.g., delivery to the kiln)? Is the holding tank still in use? If so, for what?

10. Provide the following certification by a responsible corporate officer:

I certify under the penalty of law that I have examined and am familiar with the information submitted in responding to this information request for production of information and documents. Based on my review of all relevant information and documents, and inquiring of those individuals immediately responsible for providing all relevant information and documents, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

---

Date

---

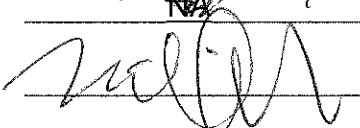
Signature and Title



# LAND AND CHEMICALS DIVISION

Type of Document: Information Request (3007a)

Name of Document: Essroc Cement Corporation (IND 005 081 542)

	<u>NAMES</u>	<u>DATE</u>
AUTHOR:	Gracie Scambiaterra <sup>JMS</sup>	3/24/2017
APA:	Gaye Coelington <sup>NA</sup>	3/21/17 <sup>NA</sup>
SECTION CHIEF:		3/29/17
BRANCH CHIEF:	_____	_____
DIVISION APA:	_____	_____
DIVISION DIRECTOR:	_____	_____
OTHERS:	<u>ORC approval (Jill Rountree)</u>	_____
	_____	_____
DRA:	_____	_____
RA:	_____	_____

-----

RETURN TO: Gracie Scambiaterra

PHONE: 3-5103

COMMENTS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

